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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,765	11/18/2002	Daw-I Wang	ALIP0005USA	9206

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(NAIPC) NORTH AMERICA INTERNATIONAL PATENT OFFICE  
P.O. BOX 506  
MERRIFIELD, VA 22116

EXAMINER
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AGUSTIN, PETER VINCENT

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/065,765	<b>Applicant(s)</b> WANG ET AL.	
	<b>Examiner</b> Peter Vincent Agustin	<b>Art Unit</b> 2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Objections*

2. Claim 7 is objected to because of the following informalities:

On line 1: "comprising a pre-amplifier" should be --comprising providing a pre-amplifier--.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-6 & 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsui et al. (US 6,118,742).

In regard to claim 1, Matsui et al. disclose an optical disc system (figure 5) for recording data to an optical disc (104) rotating at a constant angular velocity (column 19, lines 33-35), the optical disc system comprising: a spindle motor (119) for rotating the optical disc at a constant angular velocity; an optical pickup unit (105) for accessing data on the optical disc and

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producing a wobble signal (see output of 106); a phase-locked loop (109) for extracting a wobble signal carrier frequency from the wobble signal output by the optical pickup unit; a clock synthesizer (109: note that element 109 corresponds to both the claimed phase-locked loop and clock synthesizer; see column 18, lines 21-24) electrically connected to the PLL for producing a channel clock conforming to the CAV according to the carrier frequency output by the PLL and the operating speed of the spindle motor; a data encoder (136) for being used in accordance with the channel clock output by the clock synthesizer to encode incoming data and produce a corresponding data signal; and an optical pickup unit driver circuit (inherent component that drives element 105) connected to the optical pickup unit for controlling the optical pickup unit according to a write strategy of the optical disc system and the data signal output by the data encoder.

In regard to claim 3, Matsui et al. disclose a frequency generator (figure 5, element 120) connected to the spindle motor for producing a first signal according to a rotation speed of the spindle motor; a crystal oscillator (see label below element 123) for producing a fixed clock; a frequency divider (123) connected to the crystal oscillator for dividing the frequency of the inputted fixed clock to produce a second signal; a frequency comparator (121) connected to the frequency generator and the frequency divider for comparing the first signal and the second signal so as to produce a control signal; and a motor driver circuit (118) for driving the spindle motor to rotate the optical disc according to the control signal.

In regard to claims 6 & 8, these claims have limitations that are similar to or inherent from those of claims 1 & 3; thus, they are rejected using the same rationale as applied to claims 1 & 3 above.

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In regard to claims 4 & 9, Matsui et al. disclose that the optical disc system is an optical disc recorder (column 17, line 64: "DVD-RAM").

In regard to claim 5 & 10, Matsui et al. disclose that the optical pickup unit is a laser pickup (inherently suggested by column 17, line 64: "DVD-RAM").

5. Claims 1, 2, 4-7, 9 & 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanishima (US 6,791,918).

In regard to claim 1, Tanishima discloses an optical disc system (figure 7) for recording data to an optical disc (D) rotating at a constant angular velocity (column 5, lines 66-67), the optical disc system comprising: a spindle motor (12) for rotating the optical disc at a constant angular velocity; an optical pickup unit (11) for accessing data on the optical disc and producing a wobble signal (SG1); a phase-locked loop (25) for extracting a wobble signal carrier frequency from the wobble signal output by the optical pickup unit; a clock synthesizer (25: note that element 25 corresponds to both the claimed phase-locked loop and clock synthesizer; see column 7, lines 5-11) electrically connected to the PLL for producing a channel clock (CLK) conforming to the CAV according to the carrier frequency output by the PLL and the operating speed of the spindle motor; a data encoder (27, 28 & 29) for being used in accordance with the channel clock output by the clock synthesizer to encode incoming data and produce a corresponding data signal (SW4); and an optical pickup unit driver circuit (inherent component that drives element 11) connected to the optical pickup unit for controlling the optical pickup unit according to a write strategy of the optical disc system and the data signal output by the data encoder.

In regard to claim 6, this claim has limitations that are similar to or inherent from those of claim 1; thus, it is rejected using the same rationale as applied to claim 1 above.

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In regard to claims 2 & 7, Tanishima discloses a pre-amplifier (21) electrically connected to the PLL and the optical pickup unit for amplifying the wobble signal output by the optical pickup unit.

In regard to claims 4 & 9, Tanishima discloses that the optical disc system is an optical disc recorder (column 1, lines 7-10).

In regard to claims 5 & 10, Tanishima discloses that the optical pickup unit is a laser pickup (column 5, line 43: "reflected light").

#### ***Citation of Relevant Prior Art***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sugiyama et al. (US 4,423,497) disclose a motor drive circuit having a crystal oscillator, a frequency divider, a frequency generator, and a phase comparator.

Tsukamura et al. (US 4,925,717) and Sumihiro et al. (US 5,099,467) disclose clock-generating circuits for generating channel clocks on the basis of phase-locked loops.

#### ***Conclusion***

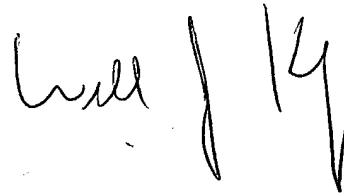
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Vincent Agustin whose telephone number is 703-305-8980. The examiner can normally be reached on Monday-Friday 9:30-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on 703-305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peter Vincent Agustin  
Art Unit 2652

A handwritten signature in black ink, appearing to read 'William J. 14', is written over the printed name of the Primary Examiner.

**WILLIAM KLIMOWICZ**  
**PRIMARY EXAMINER**